THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.3460 of 2007

Date: 28.02.2007

Between:

S.Jaga Dora.

....Petitioner

And

The Government of Andhra Pradesh, Rep., by its Principal Secretary, Revenue Department, Secretariat, Hyderabad and another.

....Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.3460 of 2007

O R D E R:

The petitioner states that he purchased an extent of 255 square yards of land in plot No.23 in Survey No.187/3D of Vepagunta Village, Pendurthi Mandal, Visakhapatnam District, under a sale deed, from his vendor by name B.Butchamma. According to him, when the document was presented, the second respondent refused to receive the same and that necessitated his vendor to approach this Court by filing W.P.No.1834 of 2007. The petitioner alleged that in pursuance of the directions issued by this Court in the said Writ Petition, the second respondent received the document but did not release it, by stating that there is no specific direction for release of the document, and seeks necessary directions in this regard.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

In respect of the same transaction, W.P.No.1834 of 2007 was filed. The only difference is that the vendor was the petitioner therein. This Court took the view that the second respondent cannot refuse to receive the document, by relying upon any notice issued under Section 22-A of the Registration Act, 1908 (for short 'the Act') and directed him to receive and process the document. It is stated that the document has since been presented.

Strictly speaking, if the second respondent did not comply with the orders of this Court, Contempt Case ought to have been filed. However, the petitioner appears to be of the view that there must be a specific direction to the second respondent to release the document after registration. Though such direction would be superfluous in the facts and circumstances of the case, the Writ Petition is disposed of, directing that the second respondent shall release the document presented by the petitioner, after registration, if it is otherwise in order, without making reference to any notification issued under Section 22-A of the Act. There shall be no order as to costs.

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28.02.2007

Note: Issue C.C. in three days

(B/o)

JSU